

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIE L. MITCHELL,

No. C 07-04388 CW

Plaintiff,

JUDGMENT

v.

OAK HARBOR FREIGHT LINES INC.,

Defendant.

/

For the reasons set forth in this Court's Order Granting in Part Defendant's Motion for Judgment on the Pleadings,

IT IS ORDERED AND ADJUDGED

That Plaintiff Willie L. Mitchell's Fair Credit Reporting Act (FRCA) claim is dismissed with prejudice. Plaintiff's negligent and intentional infliction of emotional distress claims are dismissed without prejudice to refiling in state court. Each party shall bear its own costs of action.

Dated at Oakland, California, this 3rd day of July, 2008.

RICHARD W. WIEKING
Clerk of Court

By:

Sheilah Cahill
SHEILAH CAHILL
Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MITCHELL et al,

Plaintiff,

Case Number: CV07-04388 CW

V.

OAK HARBOR FREIGHT LINES INC et al,

Defendant.

CERTIFICATE OF SERVICE

OAK HARBOR FREIGHT LINES INC et al
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on July 3, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

15 Elizabeth R. Ison
16 The Ison Law Group
 3220 M Street
 Sacramento, CA 95816-5231

17 Willie L. Mitchell
18 P.O. Box 5282
 Oakland, CA 94605

19 || Dated: July 3, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk